

IN RE: PETITION FOR ZONING VARIANCE  
SM/S Riverview Rd., 860.5' NW of  
the c/l of Back River Neck Rd.  
(2114 Riverview Road)  
15th Election District  
5th Councilmanic District

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-3-A  
William McAlpin, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a street centerline setback of 48 feet, in lieu of the required 75 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 2114 Riverview Road, zoned R.C. 5, is improved with a single family dwelling and detached garage and is located within the Chesapeake Bay Critical Areas on Back River. Petitioners testified they have resided on the property since 1971 and recently converted an existing porch on the front of the property into additional living space. Testimony presented by Petitioners indicated the addition was made to provide more habitable space and to upgrade interior doorways to accommodate the wheelchair-bound parent of one of the Petitioners. Petitioners testified they discussed their plans with adjoining neighbors who voiced no objections. Petitioners argued the granting of the variance will not result in any detriment to the health, safety or general welfare of the community.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore

be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas Legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 2 -

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 28th day of July, 1989 that the Petition for Zoning Variance to permit a street centerline setback of 48 feet in lieu of the required 75 feet for an existing addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition; and,

- 3 -

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated July 5, 1989, attached hereto and made a part hereof.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

ORDER RECEIVED FOR FILING  
Date 7/28/89  
By [Signature]

- 4 -

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

RECEIVED  
JUL 18 1989  
ZONING OFFICE

DATE: July 5, 1989

TO: Mr. J. Robert Haines  
Zoning Commissioner

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Variance - Item 459  
McAlpin Property  
Chesapeake Bay Critical Area Findings

#### SITE LOCATION

The subject property is located at 2114 Riverview Road and fronts onto Back River. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME: William McAlpin

#### APPLICANT'S PROPOSAL

The applicant has requested a variance from section 1A04.3.B.3 of the Baltimore County Zoning Regulations to permit a street centerline setback of 48 ft. in lieu of the required 75 ft.

#### GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines  
July 5, 1989  
Page 3

#### CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and findings listed above.

Upon compliance with Chesapeake Bay Critical Area Regulations, this project shall be approved.

Robert W. Sheesley  
Robert W. Sheesley, Director  
Department of Environmental Protection  
and Resource Management

RWS:NSS:ju  
Attachment

cc: The Honorable Ronald B. Hickernell  
The Honorable Norman R. Lauenstein  
The Honorable Dale T. Volz

#### Chapter 4

##### Rainy Day Blues

How rain water moves over and through the ground is important to those of us who have experienced flooded basements, wet yards, or broken septic systems. Solving the problems associated with surface water runoff and poor drainage is also important to improving the health of the Chesapeake Bay.

Rain from roofs and driveways runs off, often eroding yards and destroying plants. Much of the soil washed off vacant lots and lawns is carried into streams and eventually reaches the Bay. This sediment smothers fish and shellfish. Nutrients, such as nitrogen and phosphorus from fertilizer in runoff, can cause excessive algae growth, using up oxygen needed by the Bay's aquatic life. This runoff may also contain pesticides, oil, antifreeze, and other substances toxic to life in the Bay.

Pollution also occurs when the soil is too wet to filter sewage outflow. Effluents can percolate into the groundwater without proper filtration, or it can rise to the surface and be carried into streams and drainage ways.

##### Dealing with Surface Runoff

On large tracts of land, controlling surface water flow (storm water management) is the developer's responsibility. There are inexpensive ways you can control excess runoff created by patios, driveways, sidewalks, and swimming pools. Whatever the soil drainage condition in your neighborhood, you can use swales, berms, and basins to control runoff on your property, reduce its speed, and increase the time over which the runoff is released. For example, land immediately adjacent to your house needs to have a

downhill slope so that water does not seep through the foundation. Once the water has been carried ten feet from the house, you should regrade the surface so that runoff is released gradually.

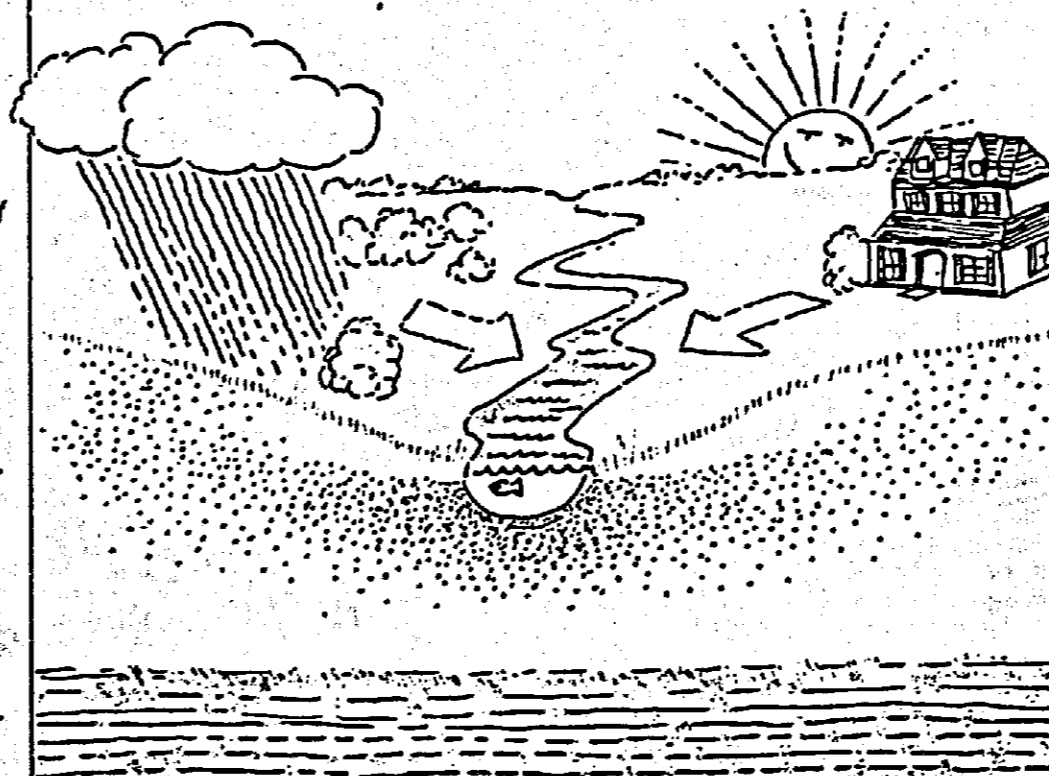
Where drainage is good or where infiltration devices are in use, you can regrade the land to create a basin, which holds all runoff and allows it to infiltrate the soil over a longer period of time. The effectiveness of a basin depends on the soil's ability to absorb and filter the surface water. Soils with less than two feet of depth to bedrock or one foot of depth to a seasonally high water table, soil having a high clay content or a clay hardpan beneath the surface, and low-lying soil that receives runoff from a large land area may not have sufficient infiltration capacity. When you try to retain runoff in these situations, the soil will rapidly become saturated, and rainfall that should filter down

through the soil will collect on the surface and either create health, safety, and use problems or move across the surface as excess runoff.

Be on the lookout for small wet patches in your yard. These wet spots mean that the soil around your house has settled and surface water is collecting on the ground. Plant growth is usually poor in these areas and erosion often occurs. Filling these pockets with topsoil and seeding them with grass will usually solve the problem by letting water flow on its natural path.

In some instances, you may be able to correct an existing wet soil problem by creating a system of berms and swales around your yard. When it's not feasible to avoid a wet area, you may be able to move it to a less used area of the yard (around shrubs or trees, for example) by installing a swale to carry the water across the yard. Plant the new

Rainwater runs downhill - some filtering through the soil, some running directly into nearby streams. By encouraging rainwater to move slowly across the soil so most of it filters into the ground, you will help prevent erosion problems.



DRAINAGE

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

July 28, 1989



Mr. & Mrs. William McAlpin  
2114 Riverview Road  
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE  
SM/S Riverview Road, 860.5' NW of the c/l of Back River Neck Road  
(2114 Riverview Road)  
15th Election District - 5th Councilmanic District  
William McAlpin, et ux - Petitioners  
Case No. 90-3-A

Dear Mr. & Mrs. McAlpin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

cc: People's Counsel

File

459  
#459  
PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-3-A CRITICAL AREA  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A04.3.B.3 to permit a street centerline setback of 48 ft. in lieu of the required 75 ft.

Our parents are in their 80's and we have them to our home to have meals with us. One is in a wheelchair and we need more room to get the wheelchair around.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Legal Owner(s): William McAlpin  
Address: 2114 Riverview Rd., Baltimore, Md. 21221  
City and State: Baltimore, Md.  
Phone No.: 682-2221

Attorney for Petitioner: J. Robert Haines  
Address: 111 W. Chesapeake Ave., Room 113, Towson, Md. 21204  
City and State: Towson, Md.  
Phone No.: 278-1111

ORDERED BY The Zoning Commissioner of Baltimore County, this 18 day of May, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held in Towson, Baltimore County, at Room 106 of the County Office Building, on the 18 day of July, 1989, at 2 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ESTIMATED LENGTH OF HEARING: 1/2 HR.  
ALL OTHERS: NEXT TWO MONTHS  
REVIEWED BY: ucn DATE: 4/20/89

459  
CRITICAL AREA  
ZONING DESCRIPTION  
Beginning on the SW/S of Riverview Road, 860.5 ft. NW of the centerline of Back River Neck Road. Being lot # 2, Holly Farm Beach Book #10 Folio 2 in the 15th Election District. Containing Approx. 10, 350 Sq. Ft. Also Known As #2114 Riverview Road.

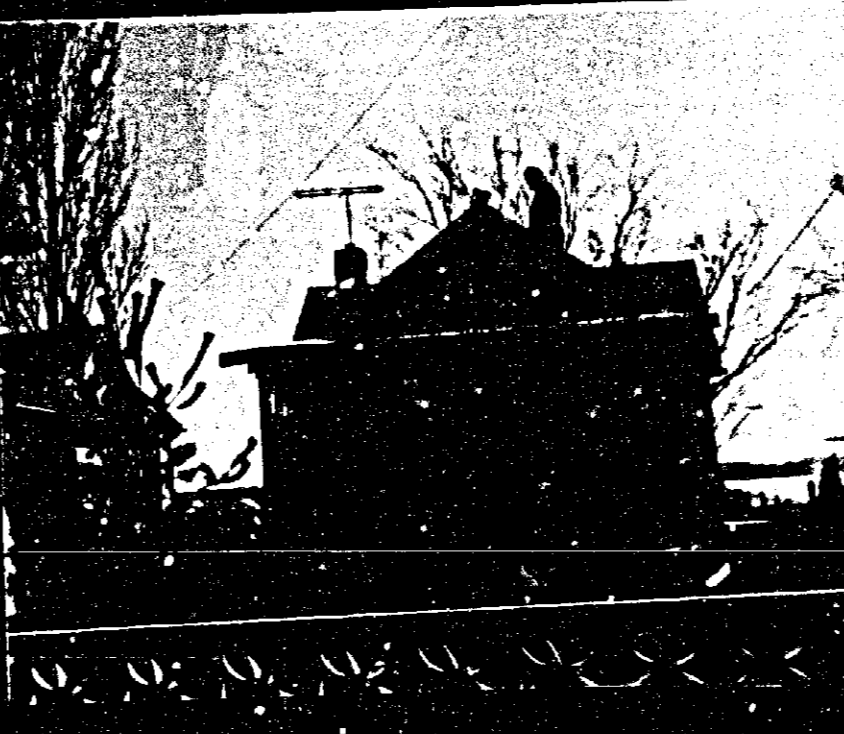
CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland  
District: 15th  
Posted for: William McAlpin et al  
Location of property: 2114 Riverview Rd., Baltimore, Md. 21221  
Location of Sign: 2114 Riverview Rd., Baltimore, Md. 21221  
Remarks: William McAlpin et al  
Posted by: William McAlpin  
Date of return: 6/28/89  
Number of Signs: 1

CERTIFICATE OF PUBLICATION  
TOWSON, MD. June 23, 1989  
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on June 22, 1989.

THE JEFFERSONIAN  
S. Zake Nelson  
Publisher  
P013588  
M 130970  
CO 90-3-A  
PUC 459-40

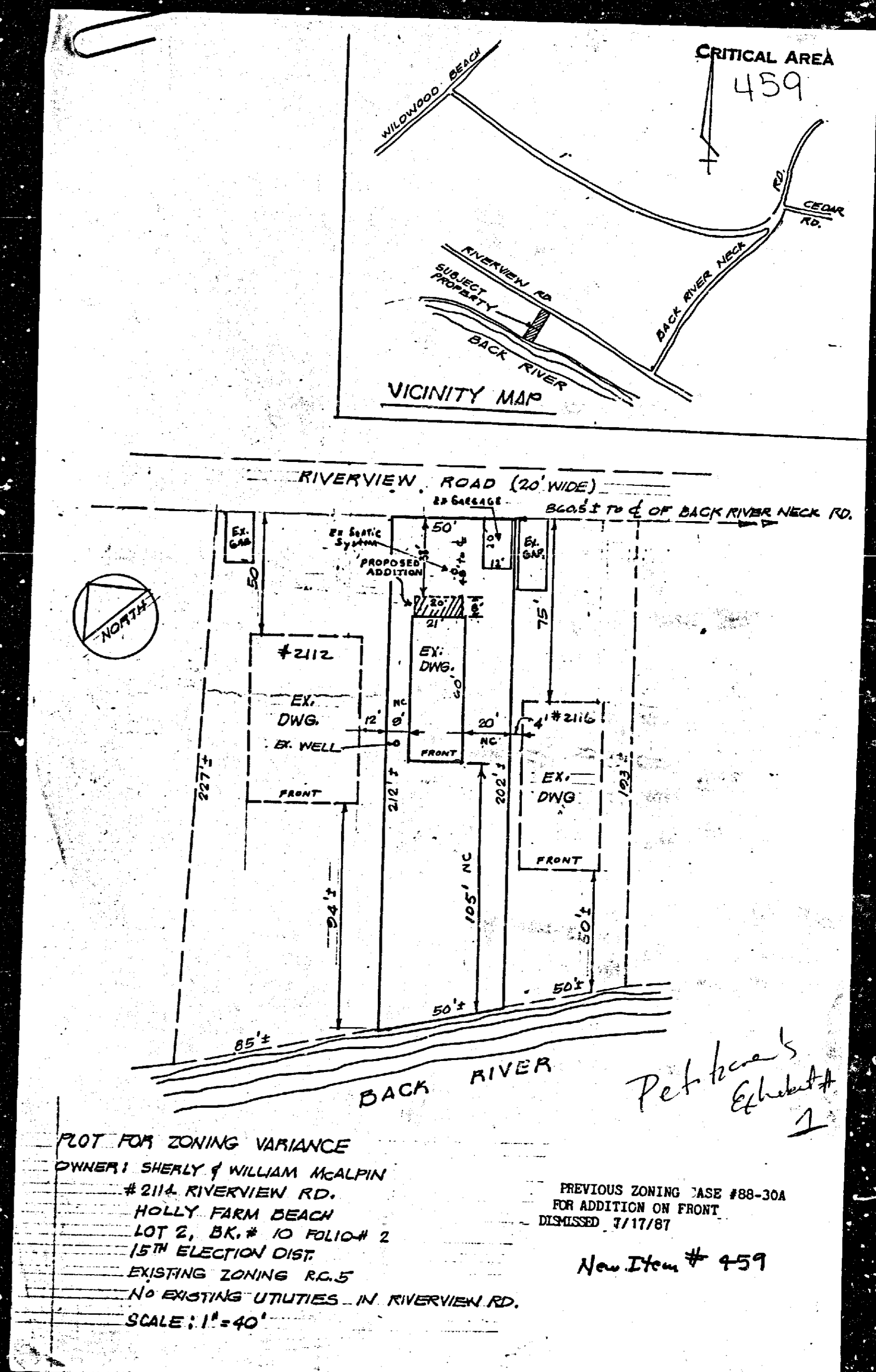
De Tunes, Inc.  
3606 Baker Road  
Baltimore, Maryland 21226  
PUBLISHED BY THE SHIELDS PRESS INC.  
First Advertising Medium  
Baltimore County Maryland  
Office of Planning & Zoning  
Room 150 Court House  
Towson, Md. 21204-4665  
P.O. NO. 13587 June 22/89  
S.C. Petition  
William M Alpin  
Req # 30971

Bel Air, Md. June 22, 1989  
This is to certify that the annexed advertisement was inserted in the Baltimore Sun, a newspaper printed and published in Harford County, once in each of successive weeks before the 22nd day of June, 1989.  
John P. ...  
Publisher



BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
TO: J. Robert Haines  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS  
Case No. 90-3-A  
Item No. 459  
Re: William McAlpin, et ux  
The Petitioners request a variance to allow a setback of 489 feet to the street centerline in lieu of 75 feet. In reference to this request, staff offers no comment.  
A:71889.txt Pg. 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
June 7, 1989  
Dennis F. Rasmussen  
County Executive  
NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Zoning Variance  
CASE NUMBER: 90-3-A  
31/5 Riverview Road, 860.5' NW of c/l of Back River Neck Road  
2114 Riverview Road  
15th Election District - 5th Councilmanic  
Petitioner(s): William McAlpin, et ux  
HEARING SCHEDULED: TUESDAY, JULY 18, 1989 at 2:00 p.m.  
Variances To permit a street centerline setback of 48 feet in lieu of the required 75 feet.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.  
J. Robert Haines  
Zoning Commissioner of Baltimore County  
cc: William McAlpin, et ux  
File



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner  
Date: 6/27/89  
Mr. & Mrs. William McAlpin  
2114 Riverview Road  
Baltimore, Maryland 21221  
Re: Petition for Zoning Variance  
CASE NUMBER: 90-3-A  
31/5 Riverview Road, 860.5' NW of c/l of Back River Neck Road  
2114 Riverview Road  
15th Election District - 5th Councilmanic  
Petitioner(s): William McAlpin, et ux  
HEARING SCHEDULED: TUESDAY, JULY 18, 1989 at 2:00 p.m.  
Dear Petitioner(s):  
Please be advised that \$99.03 is due for advertising and posting of the above referenced property.  
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE OFFICE SHALL BE ASSIGNED TO REMOVE THE SIGN AND POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.  
Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland.  
Baltimore County, Maryland  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 038260  
DATE: 6/27/89  
AMOUNT: 201-615-000  
RECEIVED BY: W. McAlpin  
Posting & Advertising (90-3-A)  
\$115 \*\*\*\*\*060338 51525

Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2586  
(301) 887-4500  
Paul H. Reische  
Chief



J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: William McAlpin, et ux  
Location: SW/S Riverview Road, 860.5' NW of centerline of  
Back River Neck Road (#2114 Riverview Road)  
Item No. 459  
Zoning Agenda: May 2, 1989

Gentlemen:  
Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall  
comply with all applicable requirements of the National Fire  
Protection Association Standard No. 101 "Life Safety Code", 1988  
edition prior to occupancy.

REVIEWER: *Cap. J. Kelly 5-1-89* Noted and Approved  
Planning Group  
Special Inspection Division  
Fire Prevention Bureau

RECEIVED  
MAY 1 1989

ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

5/12/89  
Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 459, Zoning Advisory Committee Meeting of May 2, 1989

Property Owner: *William McAlpin, et ux* District: *15*  
Location: *2114 Riverview Road*  
Water Supply: *private* Sewage Disposal: *private*

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
  - ( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for each installation(s) before work begins.
  - ( ) A permit to construct from the Bureau of Quality Management is required for each item as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
  - ( ) A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
  - ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 667-4300 x 315.
  - ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
  - ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
  - ( ) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
  - ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
  - ( ) Soil percolation tests, have been \_\_\_\_\_, must be \_\_\_\_\_ conducted.
  - ( ) The results are valid until \_\_\_\_\_.
  - ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
  - ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
  - ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test ( ) shall be valid until \_\_\_\_\_.
  - ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
  - ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
  - ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
  - ( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- Others: *Prior to approval of building permit, accurate location and evaluation of sewage disposal system and water supply will be required.*

*J.R. Haines*  
BUREAU OF WATER QUALITY AND RESOURCE  
MANAGEMENT

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
DATE: June 22, 1989  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning  
SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 90-3-A  
Item No. 459

Re: William McAlpin, et ux

The Petitioners request a variance to allow a setback of 489 feet to the street centerline in lieu of 75 feet. In reference to this request, staff offers no comment.

A:71889.txt Pg. 1

90-3-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
2nd day of May, 1989.

Petitioner: William McAlpin  
Petitioner's Attorney

Received by: *J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER  
James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 11, 1989

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. William McAlpin  
2114 Riverview Road  
Baltimore, MD 21221

RE: Item No. 459, Case No. 90-3-A  
Petitioner: William McAlpin  
Petition for Zoning Variance

Dear Mr. & Mrs. McAlpin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development of plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman

Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 406  
Towson, Maryland 21204  
(301) 887-3554



June 6, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 449, 450, 451, 452, 453, 455, 456, 457, 458, and 459.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lwv

RECEIVED  
JUL 18 1989

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines  
Zoning Commissioner  
DATE: July 5, 1989  
FROM: Mr. Robert W. Sheesley  
SUBJECT: Petition for Zoning Variance - Item 459  
McAlpin Property  
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 2114 Riverview Road and fronts onto Back River. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME William McAlpin

APPLICANT PROPOSAL

The applicant has requested a variance from section 1A04.3.B.3 of the Baltimore County Zoning Regulations to permit a street centerline setback of 48 ft. in lieu of the required 75 ft.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
  2. Conserve fish, wildlife and plant habitat; and
  3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."
- <COMAR 14.15.10.01.0>